

House Bill 181 (AS PASSED HOUSE AND SENATE)

By: Representatives Jacobs of the 80th, Millar of the 79th, Chambers of the 81st, Levitas of the 82nd, Oliver of the 83rd, and others

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapter 75 of Title 36 of the Official Code of Georgia Annotated, relating to war
2 on terrorism local assistance, so as to provide for limitations with respect to the creation,
3 activation, and activities of public safety and judicial facilities authorities; to require
4 resolutions and referendums prior to issuing bonds for new projects; to provide that certain
5 authorities located in counties that have activated or activate public safety and judicial
6 facilities authorities shall obtain approval by resolution and referendum prior to issuing
7 bonds; to provide that counties or municipalities that activate a public safety and judicial
8 facilities authority shall not activate a joint public safety and judicial facilities authority; to
9 provide for related matters; to provide an effective date; to repeal conflicting laws; and for
10 other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

13 Chapter 75 of Title 36 of the Official Code of Georgia Annotated, relating to war on
14 terrorism local assistance, is amended by adding new Code sections to read as follows:

15 "36-75-11.

16 (a) On and after the effective date of this Code section, no public safety and judicial
17 facilities authority created and activated by a single county pursuant to this chapter shall
18 be authorized to issue bonded indebtedness for new projects unless a resolution approving
19 such projects passed by a majority vote of the governing authority of the county that
20 created and activated such authority was ratified by the electors of the county in a
21 referendum.

22 (b) If a public safety and judicial facilities authority created and activated by a single
23 county pursuant to this chapter desires to fund multiple projects in a bond issue, such
24 projects shall be ranked in the order they will be funded after approval by the governing
25 authority and ratification by the electors under this Code section. Such order of funding
26 shall be binding on the public safety and judicial facilities authority and such projects shall

1 be funded in the order approved unless a different order is submitted to the governing
2 authority for approval and electors for ratification.

3 (c) Any authority other than the type of authority defined in paragraph (1) of Code Section
4 36-75-3:

5 (1) Which is authorized by general or local Act to operate and incur bonded indebtedness
6 in a single county that has activated or that activates a public safety and judicial facilities
7 authority pursuant to this chapter; and

8 (2) Which constructs or operates buildings or facilities for use by any department,
9 agency, division, or commission of any county that has activated or that activates a
10 public safety and judicial facilities authority pursuant to this chapter
11 shall obtain approval by resolution and referendum as provided in this Code section prior
12 to issuing bonds for any new buildings or facilities or improvements to existing buildings
13 or facilities.

14 36-75-12.

15 Those public safety and judicial facilities authorities created and activated pursuant to this
16 chapter that have issued the \$50 million maximum aggregate amount of bonds permitted
17 under paragraph (13) of Code Section 36-75-7 shall be subject to the provisions of Code
18 Section 36-75-11 when such bonded indebtedness is reduced and such authorities desire
19 to issue additional bonds for new projects.

20 36-75-13.

21 On and after the effective date of this Code section, no county or municipality that has
22 activated or that activates a public safety and judicial facilities authority shall also activate
23 a joint public safety and judicial facilities authority."

24 **SECTION 2.**

25 This Act shall become effective upon its approval by the Governor or upon its becoming law
26 without such approval.

27 **SECTION 3.**

28 All laws and parts of laws in conflict with this Act are repealed.